## KAUFMAN BORGEEST & RYAN LLP ATTORNEYS AT LAW

ANDREW S. KAUFMAN† WAYNE E. BORGEEST IULIANNA RYAN LEE E. BERGER LORETTA A. KREZ\* IOAN M. GILBRIDE†† IONATHAN D. RUBIN‡ JUDITH M. FISHER\* A. MICHAEL FURMAN\* MICHAEL P. MEZZACAPPA\*‡ DOUGLAS I. FITZMORRIS STEVEN D. WEINER SCOTT A. SCHECHTER CHRISTOPHER E. DIGIACINTO\* IONATHAN B. BRUNO± PAUL J. COLUCCI MARGARET J. DAVINO\*†† JEFFREY C. GERSON†† ROCCO P MATRA ◊ IOHN B. MULLAHY\* MELINDA B. MARGOLIES\* IEFFREY S. WHITTINGTONO CHRISTINE HEENAN

OF COUNSEL MARIBETH SLEVIN SHERRI M. FELDMAND APPELLATE COUNSEL: JACQUELINE MANDELL JONATHAN R. HAMMERMAN HEATHER LASCHEWER\* CAROL S. DOTY††‡ BARBARA-ANN M. COSTELLO ELIZABETH O'BRIEN TOTTEN RICHARD A PRETTI REBECCA KILDUFF KRISTOPHER M. DENNIS\* BELINDA DODDS-MARSHALL\*‡ JULIE A. KEEGAN STEPHANIE B. GITNIK **IENNIFER BIRNBAUM** MICHAEL R. IANES R. EVON HOWARD☆ LEONARD B. COOPERtt ANDREW R. JONES KEITH L. KAPLAN<sup>††</sup> VINCENT C. ANSALDITT DAVID J. VARRIALE\*†† DOUGLAS I, DOMSKY

200 SUMMIT LAKE DRIVE VALHALLA, NEW YORK 10595

TELEPHONE: 914-741-6100 FACSIMILE: 914-741-0025 www.kbrlaw.com

TIMOTHY E. MCCARTHY IEFFREY A. GRALNICK TRACEY REISER-PERTOSO†† KATHERINE J. O'BRIEN†† DAMIEN SMITH ANDREW S. KOWLOWITZ\*◆ MATTHEW M. FERGUSON◆ D. RYAN BLOOMOUIST CRISTINA LA MARCA EDWARD R. NORIEGAD MATTHEW SPERGEL PAUL T. CURLEY ROBERT A. BENJAMIN\* KATHRYN C. COLLINS IANINE C. CIALLELLATT FLAN R. KANDEL\*tt BRIAN M. SHER\* MARGARET M. O'CONNOR JOSHUA B. SANDBERG EILEEN R. FULLERTON†† DENNIS J. DOZIS\* LYNN M DUKETTE RISA D. TARKOFF MILLI SHAH\* KATHRYN M. WALSH LAURA B. JUFFA

KATELIN B. O'ROURKE BETSY PHILIP SARAK WALKER KERI B. WASSERSTEIN\* REMI D. FLAISHMAN\* MELISSA A. MANNING\* THOMAS LOOKSTEIN ROBERT E. FEKETE ILILIE A MICKIEWICZ++ LORRAINE C. SYLVESTER \* **IESSICA MOLINARES** JENNIFER M. HAMILTON ANN MARIE M. ANDREWS\* BAIN R. LOUCKS\*

† ALSO ADMITTED IN PA
\* ALSO ADMITTED IN NJ
‡ ALSO ADMITTED IN DC
† ALSO ADMITTED IN TA
\* ALSO ADMITTED IN MA
ALSO ADMITTED IN TX

ALSO ADMITTED IN TA
 ALSO ADMITTED IN FL
 ALSO ADMITTED IN CA
 ADMITTED IN NJ ONLY
 ADMITTED IN CA ONLY

TO BARRISTER AT LAW
ADMITTED IN ENGLAND & WALES

June 11, 2008

## VIA ECF and FACSIMILE

Honorable Andrew J. Peck United States District Court Southern District of New York United States Courthouse 500 Pearl St., Room 1370 New York, New York 10007

Joel S. Ario v. NovaPro Risk Solutions, LP (Case No.: 07-8452)

Dear Judge Peck:

Our office represents the defendant, NovaPro Risk Solutions, LP, in the above-referenced matter. We write with the consent of plaintiff's counsel to advise the Court that the parties have reached a resolution in this matter. The parties are currently preparing a Settlement Agreement detailing the terms of the resolution. We expect that the Settlement Agreement will be finalized within the next fifteen (15) days. Following execution of the Settlement Agreement, the parties will file a Stipulation of Dismissal requesting dismissal of this action with prejudice, and will request the Court's approval of that Stipulation at that time.

At present, we request that the Court hold this matter open for fifteen (15) days, until June 26, 2008, to allow the parties sufficient time to finalize and execute the Settlement Agreement. Please do not hesitate to contact the undersigned with any questions.

Respectfully submitted,

737183-1

cc: Cheryl A. Garber

FOX ROTHSCHILD LLP Attorneys for Plaintiff

(via ECF and electronic mail)